

Development (1932) Department

Ms SERIES.

G.O. No.

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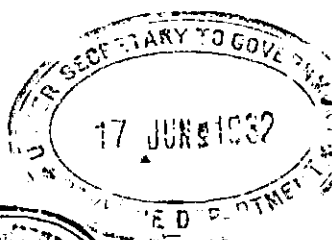
25-7-32

[Despatch Abstract.]

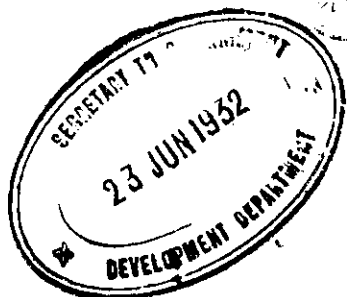
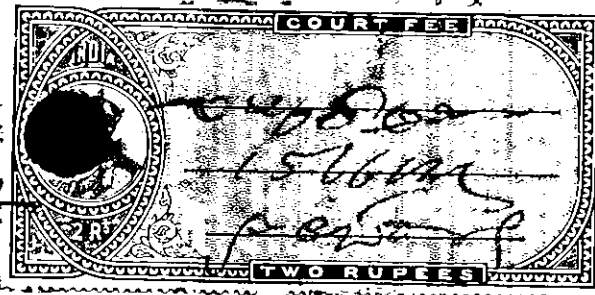
Mines - Gunda Manganese mines - Hospet - Bellary District

remission of dead rent - Appeal - Petition from Mr. Abdul Hy-

Rejected -



1514 17
25-6-32



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17/6/32

Bellary,
dated the 15th June
1932.

From:

Khan Sahab K. Abdul Hye Ex M.L.C
Proprietor,
The Bellary Manganese Mining Co.,
BELLARY.

Rev dept.

Development no.

To :

The Secretary to Government,
Revenue Department,
Government of Madras,
COOTACAMUND.

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20/6/32

20/6/32

Rev no. 1878 7.22-1
22622 7.22

Sir,

I am the lessee of the Gunda Manganese mine in Hosnet taluk of the Bellary District, covering an area of 1503 acres. The lease was granted on the 20th January 1927.

On account of the unfavourable character of the mining market, my firm was not able to work the mine satisfactorily. I have till now spent an enormous amount in trying to bring the mine into a working order.

The mining industry is in a most unsatisfactory condition on account of the world's economic depression, and many important Iron, Steel, manufacturers have closed their concerns in Europe. To add to this trouble there is the competition by Russia which is supplying Manganese all over Europe, and India is unable to stand the competition. For the last six years the enterprise is in a state of collapse. Even in the Central Provinces, where Manganese enterprise was in a most flourishing condition, the biggest mine owners have closed down their mines. The present state of things is such that

P.T.O

even European firms, having direct dealings with European markets in the matter of selling their Manganese, are obliged to shut down their mining operations to a very large extent. Apart from the closure of the mines, huge stocks of Manganese are lying unsold all over the country, and it is impossible, as some experts have held, even to recover half the capital spent in producing the ore.

In the above circumstances, my firm petitioned to the District Collector of Bellary, on 21-10-1930 explaining the several difficulties under which the company was suffering, and requested him to refund the dead rent already paid, and to excuse further recovery of the same for some time to come. The Collector in his letter No. 6469/30, dated 26-12-30, informed me that it was not possible to refund the dead rent, but in the present state of depression, he would recommend to the Hon'ble the Board of Revenue for the suspension of the lease, and during the period of suspension, not to levy the dead rent. I agreed to the kind suggestion of the Collector, and submitted a petition accordingly. The Collector subsequently informed me in his letter No. 403/31, dated 1-3-1931, that the Board was pleased to suspend for a period of two years some of the conditions of the lease. The said letter of the Collector gave all the implied meaning that I was exempted from the payment of dead rent during the period of suspension.

After some time the Collector again wrote to say in his No. C. 3837, dated 7-1-1932 that the Board in E.P.Mis. 4118, dated 23-12-31, stated that the orders issued in its proceedings Mis. 570, dated 16-2-31, authorised only the suspension of the working of the area, and that dead rent should be collected from me.

This letter of the Collector was nothing short of a shock to me in view of the present depressed condition of the trade. This was contrary to the first decision of the Hon'ble

K | Board to suspend the lease for a period of two years, and to waive off the dead rent during the period of suspension.

I respectfully venture to submit that this second order of the Hon'ble Board is some what ungenerous, in view of the fact that I have already paid to Government about Rs. 6750/- by way of dead rent, besides putting a huge outlay in developing the mine, and I have not sold even an ounce of Manganese from this area ever since I took over the lease. Prior to the grant of the lease, I have paid a further sum of Rs. 1500/- for two years when I was holding only a prospecting licence. All these years have gone in simply developing the mine, and not a single piece was sold and money realised.

As compared with the Manganese of the Central Provinces and else where, the quality of the ore found in this mine is very inferior, and unsalable as the percentage of Manganese is far below 35%. Such ores are properly termed 'Manganiferous Iron ores' rather than Manganese ores. The dead rent fixed at Rupee one, an acre is unduly heavy. This would not be felt if there was a boom in the mining market.

Where there is failure of crops, whether by natural causes or otherwise, the Government have always been generous to grant either suspension or remission to the ryot. The Government have also recognised that the prosperity and happiness of the ryot, the peasant and the land owning classes is very dear to their heart.

On all these considerations I again appeal to the Hon'ble the Board on the 23rd March 1932, requesting the Board to reconsider my case.

The Board has now been pleased to dismiss my appeal, and I thought the only course left to me was to approach you for redress and hence this appeal to Government. The order of the Board in original is herewith enclosed duly stamped.

psaif

Print in the copy to
Govt. of India

Sheet: 4

~~10-11-1912~~

I further understand that a similar case relating to the Mysore Development Syndicate, owners of the Tummurguddi Manganese mine in Bellary district, is being considered by the Government. My case is also similar to theirs, if not more strong. They have at least sold large quantities of Manganese during the past years from Tummurguddi mines. I have simply spent money not selling even an ounce of the mineral, and have paid dead rents all along without the least benefit.

In conclusion, I beg to submit that I have got every hope that I will not fail to get justice at your hands, and the dead rent will be waived off in view of the circumstances explained above.

I beg to remain

Sir,

Your most obedient servant,



5

PROCEEDINGS
MEMORANDUM OF THE BOARD OF REVENUE, LAND REVENUE AND SETTLEMENT,
M a d r a s.

Post Box No. _____ Telegraphic Address _____

Name C.A. Souter Esquire, I.C.S.,
Commissioner of Land Revenue & Settlement.

B.P. Misc., No. 1182, dated 14th April 1932.

Short title _____

READ—the following:—

Petition from Khan Sahib K. Abdul Hye, Sahab,
 Proprietor, The Bellary Manganese Mining Co., Bellary
 dated 10th Febr. 1932.

petition from Khan Sahib K. Abdul Hye Sahab,
 Proprietor, The Bellary Manganese Mining Co., Bellary,
 dated 23rd March 1932.

RESOLUTION:-

mining lease - Manganese - (Bellary) Hospet
 Taluk - Gunda reserve - Remission or suspension of dead-rent
 Khan Sahab Abdul Hye Sahab - Petition dismissed.

--

Dead rent can neither be remitted nor can its collec-
 tion be suspended. The Board sees no reason to reconsider
 the orders already issued in the matter. The petition is
 dismissed.

(True Extract)

(Sd) K. Raman Nayar,

Assistant Secretary

✓ To Khan Sahab Abdul Hye Sahab,
 Proprietor, The Bellary Manganese Mining Co.,
 Bellary.
 Copy to the collector of Bellary.

F O R W A R D E D

(By Order)

[Signature]
 Superintendent.
 16.4.32

P.T.S.,
 15/4

[Handwritten]
 164



6

Dev. Dept.

Lease - Manpower -
dead rent - remission

CNO 1514 I/32

2
AS

Please see the petition from Mr. Abou Hye, Ex-M.L.C. in the C-7 especially the portion marked K at pp 2-3 C-7. Which gives out his case.

of p 2 C-7

The petitioner states that the ~~letter~~ letter from the Collector of Bellary communicating to him the order of the Board of Revenue ~~that~~ suspending ~~some of the~~ for a period of two years some of the conditions of the lease, gave him the implied meaning that the dead rent due from him was also remitted. Submitted that as the correspondence in question ~~has~~ been is not available, the petition may be asked to send copies of the letter from the Collector of Bellary quoted in p 2 C-7 to examine the case further. It may however be pointed out that the dead rent cannot be suspended or remitted as the

rules now stand without the sanction of
the Govt of India (Please see a similar
Case in the linked file). A draft endorsement
is submitted for approval

29/6/32

I think the decision in this
limited file will apply to this case. x sent in circuit for

If the Govt decide to grant the request

20/6/32

and address the Govt of India for a remission
of the dead rent, the Board of Revenue may be asked
to prepare the facts and the amount of rent
due from the petitioner in this case.

1/7/32

But have the Govt of India or Government of
Madras refused a request for remission of
dead rent? If not, will they consider remission? 7/8

2/7

A above

Reference is also cited to the preamble to
the Govt of India Rules at p 54 of the Mining
Manual. The Govt of India will have to
obtain the sanction of the Leg of State
for remission or reduction of dead rent.
The Rules as they are do not seem to vest power
in the Govt of India.

G.T.O

B 8

As above

Reference is solicited to Rule 50 (xiv) ^{+(xiv)} at p 81 of the manual. The nonpayment of dead rent will be a breach of condition in the lease ^(Rule 50 xiv) and therefore the Govt can determine the lease or in the alternative may accept payment of penalty, not exceeding twice the amount of the

annual dead rent from the lessee. The lessee can also relinquish under Rule 54 at p 82 of the Mining Manual.

(an exp. to be sent for the delay. The office contains the date of the lease (13th 13th.)
 11/11/13
 1702
 18/7/32
 137-32

9/7-32
 C. 12/13
 137-32

RR
 18/7-32

When in the other case

The other case is ~~linked~~ has been decided

19/7-32
 C. 12/13
 137-32

RR
 19/7-32

The order may be the same this case also
 5/19/17

2/18

A draft order is submitted for

Approval

21/7-32
 C. 12/13
 137-32

RR
 22/7-32

Date, _____

Initials.

Innis

9 Dec

Gunda manganese mine -
Hospet - Bellary Dist.
Remission of dead rent.
Petition for Mr Abdul Kye.
Rejected

READ AGAIN G.O. No. _____, dated _____ 19____

[illegible]

READ ALSO :—

READ ALSO:—
C No. 1514 From the Khan Sahib, Abdul Hye, No. 1-3 C-7, dated 15-6 1932

” ” ” ” ” ” 19 .

19.

ORDER.

No. 994, dated 25-7-32 1932

The Govt are
unable to Comply with the
request of the petitioners as
they have no authority to
remit or suspend ^{payment of} dead
rent.

2/ Khan Sahib K. Abdul
Hye is referred to the
Board of Rev for orders on
his petition to Govt.

10/2/22 Van
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Do the body of New LRP
(with Copyrightation at pp
1302)

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OFFICE OF THE _____

Dated _____ 19

Hour: _____ Minutes.

TELEPHONIC MESSAGE.

From Supt Dew D Eptt

To Supt in charge of mines (Rd of the)

Pl. say whether the Govt of India have power ^{or reduce} under the mining rules to remit ^{or reduce} deadrent without the specific sanction of the Secy of State for India.

If the lessee fails to pay deadrent what is the consequence. Is it the determination of lease by Govt by taking possession of land or can the lessee retain it his ~~unadvised~~ -

8/11.5.32

OFFICE OF THE

Dated _____ 19

Hours _____ Minutes.

ELEPHONIC MESSAGE.

From

The Supdt in charge of mines
Bd of Rev

To

The Supdt. Deu. Dep.
Ref: your T.M. of 11.7.32 re
powers of G & J relating to reduction
or ~~revision~~ remission of dead rent

There is no information available
here whether the G & J can reduce
or remit dead rent without the
sanction of the Secy of State.

If a lessee fails to pay dead rent
action may be taken under clause
2 of para IX. ^{As} regards relinquish ment
attention is invited to rule (54) at h
82. of the Mining Manual.

13.7.32 ✓